

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:05-cv-01814-BMS**

TOY v. PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74
PENSION PLAN et al
Assigned to: HONORABLE BERLE M. SCHILLER
Cause: 29:1132 E.R.I.S.A.-Employee Benefits

Date Filed: 04/20/2005
Jury Demand: None
Nature of Suit: 791 Labor: E.R.I.S.A.
Jurisdiction: Federal Question

Plaintiff

MARTHA JANE TOY
*INDIVIDUALLY, AND AS EXECUTRIX AND
PERSONAL REPRESENTATIVE OF ESTATE
OF RUSSELL B. TOY, DECEASED*

represented by **WILLIAM B. HILDEBRAND**
LAW OFFICES OF WILLIAM B.
HILDEBRAND, L.L.C.
1040 KINGS HIGHWAY NORTH
SUITE 601
CHERRY HILL, NJ 08034
856-482-7100
Email: whildebrand1@comcast.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**PLUMBERS & PIPEFITTERS LOCAL
UNION NO. 74 PENSION PLAN**

represented by **D. FON MUTTAMARA-WALKER**
YOUNG CONAWAY STARGATT &
TAYLOR LLP
1000 WEST ST., 17TH FL
WILMINGTON, DE 19801
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
YOUNG, CONAWAY, STARGATT AND
TAYLOR
RODNEY SQUARE NORTH
10TH FLOOR, P.O. BOX 391
WILMINGTON, DE 19899-0391
FAX 302-571-0453
Fax: FAX 302-571-0453
Email: tsnyder@ycst.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS J. CROWTHER
YOUNG CONAWAY STARGATT &
TAYLOR
1000 WEST STREET
17TH FLOOR
WILMINGTON, DE 19899-0391
302-571-6755
Email: ccrowther@ycst.com

Defendant

**TRUSTEES OF PLUMBERS &
PIPEFITTERS LOCAL UNION 74
PENSION PLAN**

represented by **D. FON MUTTAMARA-WALKER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS J. CROWTHER
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**HEALTH AND WELFARE PLAN,
LOCAL 74, WELFARE BENEFIT PLAN**

represented by **D. FON MUTTAMARA-WALKER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS J. CROWTHER
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**LIFE INSURANCE PLAN, LOCAL 74,
WELFARE BENEFIT PLAN**

represented by **D. FON MUTTAMARA-WALKER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS J. CROWTHER
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**ADMINISTRATORS OF PENSION AND
WELFARE PLANS, TRUSTEES OF
PLUMBERS & PIPEFITTERS LOCAL
UNION NO. 74 WELFARE PLAN**

represented by **D. FON MUTTAMARA-WALKER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
(See above for address)
LEAD ATTORNEY

CURTIS J. CROWTHER
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

**PLAN ADMINISTRATOR OF PENSION
 & WELFARE PLANS, INSURANCE
 PLANS, AND HEALTH AND WELFARE
 BENEFIT PLAN**

represented by **D. FON MUTTAMARA-WALKER**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS J. CROWTHER
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

**LIFE INSURANCE PLAN, LOCAL 74,
 INSURANCE PLAN**

represented by **CURTIS J. CROWTHER**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

D. FON MUTTAMARA-WALKER
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TIMOTHY J. SNYDER
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/20/2005	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 250 receipt number 915741.), filed by MARTHA JANE TOY.(tj,) (Entered: 04/20/2005)
04/20/2005		Summons Issued; 7 Mailed to counsel 4/20/05 as to ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (tj,) (Entered: 04/20/2005)
04/22/2005	<u>2</u>	ORDER THAT THE COMPLAINT IS DISMISSED WITH PRJUDICE PURSUANT TO THE DOCTRIN OF RES JUDICATA. THE CLERK OF COURT IS DIRECTED TO CLOSE THIS CASE. SIGNED BY JUDGE BERLE M. SCHILLER ON 04/21/05. 04/22/05 ENTERED AND COPIES E-MAILED.(ac,) (Entered: 04/22/2005)
04/28/2005	<u>3</u>	MOTION for Reconsideration filed by MARTHA JANE TOY.memorandum, brief,

05/02/2005	4	ORDER THAT PLAINTIFF'S MOTION FOR RECONSIDERATION IS GRANTED AND THAT THIS COURT'S APRIL 21, 2005 ORDER DISMISSING THE CASE WITH PREJUDICE PURSUANT TO THE DOCTRINE OF RES JUDICATA IS HEREBY VACATED. SIGNED BY JUDGE BERLE M. SCHILLER ON 05/02/05.05/02/05 ENTERED AND COPIES MAILED.(ac,) (Entered: 05/02/2005)
07/05/2005	5	NOTICE by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN re 1 Complaint <i>Notice of Motion to Dismiss or Transfer</i> (SNYDER, TIMOTHY) (Entered: 07/05/2005)
07/05/2005	6	First MOTION to Dismiss <i>or Transfer</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN.Brief, Affidavit, Certificate of Service. (Attachments: # 1 Text of Proposed Order Proposed Motion to Dismiss Complaint# 2 Text of Proposed Order Proposed Order for Motion to Transfer)(SNYDER, TIMOTHY) (Entered: 07/05/2005)
07/05/2005	7	RESPONSE in Support re 6 First MOTION to Dismiss <i>or Transfer</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (Attachments: # 1 Exhibit Affidavit of Scott Ernsberger# 2 Exhibit Unreported Cases Part One# 3 Exhibit Unreported Cases Part Two)(SNYDER, TIMOTHY) (Entered: 07/05/2005)
07/16/2005	8	RESPONSE to Motion re 6 First MOTION to Dismiss <i>or Transfer</i> filed by MARTHA JANE TOY. (Attachments: # 1 # 2)(HILDEBRAND, WILLIAM) (Entered: 07/16/2005)
07/19/2005	9	ORDER THAT DEFENDANTS' MOTION TO DISMISS IS DENIED WITHOUT PREJUDICE. LIMITED DISCOVERY SHALL CLOSE FRIDAY, AUGUST 26, 2005. DEFENDANTS MAY RE-FILE THE MOTION TO DISMISS NO LATER THAN FRIDAY, SEPTEMBER 2, 2005. PLAINTIFF SHALL RESPOND TO THE RE-FILED MOTION NO LATER THAN FRIDAY, SEPTEMBER 9, 2005 . SIGNED BY JUDGE BERLE M. SCHILLER ON 07/19/05. 07/19/05 ENTERED AND COPIES E-MAILED. (ac,) (Entered: 07/19/2005)
07/19/2005	10	MOTION for Leave to File filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN,

		LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. Defendants' Motion for Leave to File a Reply Brief in Support of Defendants' Motion to Dismiss or Transfer. (SNYDER, TIMOTHY) (Entered: 07/19/2005)
07/19/2005	11	RESPONSE in Support re 10 MOTION for Leave to File filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (Attachments: # 1 Exhibit Unreported Case# 2 Text of Proposed Order Proposed Order# 3 Supplement Certificate of Service)(SNYDER, TIMOTHY) (Entered: 07/19/2005)
07/20/2005	12	ORDER THAT DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY BRIEF IS DENIED AS MOOT. DEFENDANT MAY RE-FILE ITS MOTIONS TO DISMISS IN ACCORDANCE WITH THIS COURT'S ORDER OF JULY 19, 2005. SIGNED BY JUDGE BERLE M. SCHILLER ON 07/20/05.07/21/05 ENTERED AND COPIES E-MAILED. (ac,) (Entered: 07/21/2005)
08/09/2005	13	APPLICATION OF D. FON MUTTAMARA-WALKER, ESQUIRE TO PRACTICE IN THIS COURT BY ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, STATEMENT, CERTIFICATE OF SERVICE. (ac,) (Entered: 08/10/2005)
08/11/2005	14	NOTICE of Appearance by CURTIS J. CROWTHER on behalf of ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN with Certificate of Service (CROWTHER, CURTIS) (FILED IN ERROR BY ATTORNEY; ATTORNEY RE-FILED CORRECT DOCUMENT) Modified on 8/12/2005 (np). (Entered: 08/11/2005)
08/11/2005	15	NOTICE of Appearance by CURTIS J. CROWTHER on behalf of ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN with Certificate of Service (CROWTHER, CURTIS)

		(Entered: 08/11/2005)
08/12/2005	16	ORDER THAT THE APPLCIATION OF D. FON MUTTAMARA-WALKER, ESQUIRE TO PRACTICE IN THIS COURT ON BEHALF OF THE DEFENDANTS IS GRANTED. SIGNED BY JUDGE BERLE M. SCHILLER ON 08/12/05. 08/12/05 ENTERED AND COPIES MAILED AND FAXED.(ac,) (Entered: 08/12/2005)
08/23/2005	17	ORDER THAT DEFENDANTS MAY RE-FILE THE MOTION TO DISMISS NO LATER THAN FRIDAY, 9/9/05. PLAINTIFF SHALL RESPOND TO THE RE-FILED MOTION NO LATER THAN FRIDAY, 9/16/05. SIGNED BY JUDGE BERLE M. SCHILLER ON 8/23/05. 8/23/05 ENTERED AND COPIES MAILED, E-MAILED.(fdc) (Entered: 08/23/2005)
08/24/2005	18	AMENDED ORDER THAT PARAGRAPH TWO OF THIS COURT'S ORDER OF AUGUST 23, 2005 IS AMENDED TO READ: "PLAINTIFFS MAY DEPOSE A 30(b)(6) WITNESS RELATED SOLELY TO THE INFORMATION CONTAINED IN PARAGRAPH ONE. THE DEPOSITION SHALL TAKE PLACE ON MONDAY, AUGUST 29, 2005, AT 9:00 A.M AT MR. CROWTHER'S OFFICES." COUNSEL FOR DEFENDANTS SHALL EXPEDITIOUSLY PRODUCE THE INFORMATION AND DOCUMENTS OUTLINED IN PARAGRAPH ONE OF THIS COURT'S ORDER OF AUGUST 23, 2005. SIGNED BY JUDGE BERLE M. SCHILLER ON 08/24/05. 08/24/05 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 08/24/2005)
08/25/2005	19	Minute Entry for proceedings held before Judge BERLE M. SCHILLER : Telephone Conference held on 08/22/05 (ac,) (Entered: 08/25/2005)
08/25/2005	20	Minute Entry for proceedings held before Judge BERLE M. SCHILLER : Telephone Conference held on 08/24/05 (ac,) (Entered: 08/25/2005)
09/09/2005	21	NOTICE by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN <i>of Motion to Dismiss</i> (CROWTHER, CURTIS) (Entered: 09/09/2005)
09/09/2005	22	MOTION to Dismiss <i>ACTION AGAINST NON-EXISTENT DEFENDANTS, DISMISS ACTION FOR IMPROPER VENUE, AND DISMISS ACTION AGAINST INDIVIDUAL TRUSTEES</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN.Certificate of Service. (Attachments: # 1)(CROWTHER, CURTIS) (Entered: 09/09/2005)
09/09/2005	23	RESPONSE in Support re 22 MOTION to Dismiss <i>ACTION AGAINST NON-EXISTENT DEFENDANTS, DISMISS ACTION FOR IMPROPER VENUE, AND DISMISS ACTION AGAINST INDIVIDUAL TRUSTEES</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS

		& PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (Attachments: # 1 Affidavit Of Scott Ernsberger# 2 Supplement Compendium of Unreported Cases)(CROWTHER, CURTIS) (Entered: 09/09/2005)
09/09/2005	24	Proposed Pretrial Order <i>TO DISMISS THE COMPLAINT</i> by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (CROWTHER, CURTIS) (Entered: 09/09/2005)
09/14/2005	25	First MOTION for Sanctions filed by MARTHA JANE TOY.Brief, Affidavit, Certificate of Service. (Attachments: # 1 Exhibit A-F)(HILDEBRAND, WILLIAM) Modified on 9/19/2005 (fh) (Entered: 09/14/2005)
09/16/2005	26	RESPONSE in Opposition re 22 MOTION to Dismiss <i>ACTION AGAINST NON-EXISTENT DEFENDANTS, DISMISS ACTION FOR IMPROPER VENUE, AND DISMISS ACTION AGAINST INDIVIDUAL TRUSTEES</i> filed by MARTHA JANE TOY. (Attachments: # 1)(HILDEBRAND, WILLIAM) (Entered: 09/16/2005)
09/19/2005	27	EXHIBIT B for Plaintiff's Affidavit for Motion for Sanctions by MARTHA JANE TOY. (ac,) (Entered: 09/19/2005)
09/20/2005	28	NOTICE by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN <i>of Motion For Leave to File A Reply Brief</i> (CROWTHER, CURTIS) (Entered: 09/20/2005)
09/20/2005	29	MOTION for Leave to File <i>A Reply Brief in Support of Defendants' Motion to Dismiss</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN.Certificate of Service. (Attachments: # 1)(CROWTHER, CURTIS) (Entered: 09/20/2005)
09/20/2005	30	RESPONSE in Support re 29 MOTION for Leave to File <i>A Reply Brief in Support of Defendants' Motion to Dismiss</i> , 22 MOTION to Dismiss <i>ACTION AGAINST NON-EXISTENT DEFENDANTS, DISMISS ACTION FOR IMPROPER VENUE, AND DISMISS ACTION AGAINST INDIVIDUAL TRUSTEES</i> filed by ADMINISTRATORS OF PENSION AND WELFARE PLANS, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 WELFARE PLAN, PLAN ADMINISTRATOR OF PENSION & WELFARE PLANS, INSURANCE PLANS, AND HEALTH AND WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, INSURANCE PLAN, PLUMBERS & PIPEFITTERS LOCAL UNION NO. 74 PENSION PLAN, TRUSTEES OF PLUMBERS & PIPEFITTERS LOCAL UNION 74 PENSION PLAN, HEALTH AND WELFARE

PLAN, LOCAL 74, WELFARE BENEFIT PLAN, LIFE INSURANCE PLAN, LOCAL 74, WELFARE BENEFIT PLAN. (Attachments: # [1](#) Exhibit A# [2](#) Exhibit B# [3](#) Exhibit C# [4](#) # [5](#) Exhibit E# [6](#) Exhibit F# [7](#) Text of Proposed Order # [8](#))(CROWTHER, CURTIS) (Entered: 09/20/2005)

09/28/2005

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ORDER THAT DEFENDANTS' MOTION TO DISMISS FOR IMPROPER VENUE IS DENIED. DEFENDANTS' MOTION TO DISMISS THE INDIVIDUAL TRUSTEES AND DISMISS CERTAIN NAMED DEFENDANTS IS DENIED AS MOOT. PLAINTIFF'S MOTION FOR SANCTIONS IS DENIED AS MOOT. DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY BRIEF IS DENIED AS MOOT. THIS ACTION IS TRANSFERRED TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE. SIGNED BY JUDGE BERLE M. SCHILLER ON 09/27/05.09/28/05 ENTERED AND COPIES MAILED AND E-MAILED. (ac,) (Entered: 09/28/2005)

10/31/2005

Original record together with certified copy of docket entries forwarded to District of Delaware. (ac,) (Entered: 10/31/2005)

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